

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gerianne Tringali DiPiano, Peter Kevin Mays and John Ziemniak

Serial No.: 10/751,056

Group Art Unit: 1617

Filed: January 2, 2004

Examiner: Jennifer M. Kim

For: *PHARMACEUTICAL PREPARATIONS FOR TREATMENTS OF  
DISEASES AND DISORDERS OF THE BREAST*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97,

Applicants submit a Supplemental Information Disclosure Statement, including one (1) page of Form PTO-1449, a copy of one (1) of the documents cited therein, and a copy of the Supplementary European Search Report, mailed March 23, 2009, in the corresponding application EP 04700078.1. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, a copy of the U.S. Patent and Published Application are not enclosed. Copies will be provided upon request, however.

The requirement for a concise explanation of the relevance of the foreign language document DE 100 54 294 (marked with an **asterisk (\*)** in the list below) under 37 C.F.R. § 1.98(a)(3) is satisfied by submitting corresponding U.S. Patent Application No. 2004018991.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(d) after a Final Office Action on the merits. The Commissioner is hereby authorized to charge a fee of \$180.00 to Deposit Account No. 50-3129, representing the fee required under 37 C.F.R. §1.17(p). It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-3129.

**Certification Under 37 C.F.R. § 1.97 (e)(1)**

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

**U.S. Patent**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
4,826,830	05-02-1989	Han, et al.	514/118

**U.S. Patent Application**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
2004/018991	01-29-2004	Schmidt, et al.	514/26

**Foreign Document**

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
* 100 54 294	05-16-2002	Schmidt, et al.	DE

### Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/ Patrea L. Pabst /

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